REMARKS

In the February 23, 2010 Office Action, it was held that the arguments concerning readability of claim 1 on the elected species of Figure 1 were considered, but were not persuasive. Further, claim 20 stands rejected in view of prior art, while claims 1-19 and 21-36 were withdrawn from consideration. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the February 23, 2010 Office Action, Applicants respectfully traverse the withdrawal of claim 1 and have amended claim 20 to overcome the prior art rejection. Applicants wish to thank Examiner Lorence for the examination of this application, and for his assistance in advancing prosecution of this application. Thus, claims 1-36 are pending, with claims 1 and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the following comments.

Interview Summary

On June 1 and 23, 2010, the undersigned conducted telephonic interviews with Examiner Lorence, who is in charge of the above-identified patent application. Applicants wish to thank Examiner Lorence for the opportunity to discuss the above-identified patent application during the interviews of June 1 and 23, 2010.

During the interview of June 1, 2010, the relevance of Japanese Laid-Open Patent Application Publication JP2002-195290 (Okazaki) and UK Patent Application Publication GB2,300,679 (Nash et al.) was discussed. Applicant respectfully asserts that this combination would not render the invention of claim 1 of the present application unpatentable under 35 U.S.C. §103 at least in part because the prior art fails to disclose the recited combination of an input rotor and pressure plate having iron as the main ingredient coupled with the plurality of

first friction plates being configured by a carbon composite material in conjunction with the recited structure, and that the structure as recited in claim 1 produces unexpected results.

Applicants submit herewith two pages from a brochure from Exedy Corporation (Exhibit A) and an affidavit signed by Hideaki Namba who is employed by Exedy Corporation. Applicants respectfully assert that Exhibit A shows two charts, one to the left of the heading "LONG LIFE DESIGN" (hereinafter long life chart) and one within the box entitled "EASY TO HANDLE WHILE HIGH TRANSMISSION FORCE IS BEING MAINTAINED" (hereinafter handling chart).

In the long life chart, it is shown that a semi-carbon clutch device as claimed has more than twice the life expectancy of metal type clutches, and more than four times the life expectancy of full carbon clutches that do not use oversized plates. Referring to the long life chart, Applicants respectfully assert that an expected result for a semi-carbon clutch device would be one whose life expectancy is between that of a metallic type clutch and a full carbon clutch that does not use oversized plates. Since this result is far better than what is expected, Applicants respectfully assert that in accordance with MPEP §716.02(a), claim 1 is not rendered obvious by Okazaki and Nash et al.

In the handling chart, for the semi-carbon clutch, the low temperature friction coefficient is much lower than expected and the difference between the low and high temperature friction coefficients is larger than expected. Specifically, the difference is more than twice that of the metal type clutch and almost eight times that of the full carbon type clutch. Applicants respectfully assert that in accordance with MPEP §716.02, this result and the aforementioned result show differences in kind and not in degree. Thus, Applicants respectfully assert that claim 1 is not rendered obvious by Okazaki and Nash et al.

During the June 23, 2010, Examiner Lorence indicated that the amendments to claim 20 would raise new issues, thus the instant Amendment is being filed with a Request for Continued Examination.

Election of Species

On page 2 of the Office Action, Applicants' election without traverse was acknowledged. Further, it was stated in the Office Action that claim 1 as amended no longer reads on the elected embodiment of Figures 1-5, as described in lines 9-21 of the originally filed translation. Applicants believe that the Office Action is referring to pages 25-35 of the originally filed translation. Applicants agree that the added limitation in claim 1 was described in another part of the written disclosure, namely on page 45 of the originally filed translation. However, Applicants respectfully assert that the July 31, 2008 Office Action required an election based solely on the figures of the present application. Further, Applicants respectfully assert that dependent claim 36 also reads on Figures 1-5. Since the added limitations to claim 1 correspond to the elected species shown in Figures 1-5 and since claim 36 also reads on Figures 1-5, Applicants respectfully assert that claims 1 and 36 should be examined.

It should be noted that in the previous Amendment filed November 24, 2009, in the explanation of claim 20, it was stated that reference character 40 could refer to a flywheel. While Applicants realize that claims can be interpreted in various ways, Applicants believe that the flywheel should have been identified with reference character 3. Regardless, Applicants respectfully assert that the above illustration is provided as an example and is not intended to limit the claims.

Rejections - 35 U.S.C. § 102

On page 4 of the Office Action, claim 20 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,904,234 (Kosumi et al.). In response, Applicants have amended claim 20 as noted above.

In particular, independent claim 20 recites a friction plate that selectively contacts the flywheel. Further, claim 20 also recites that the disk-like portion has an outer peripheral portion coupled to an inner peripheral portion of the friction plate.

The Office Action indicates that the driven plates 8 of Kosumi et al. correspond to the friction plate recited in claim 20 of the present application. However, as seen in Figure 1 of Kosumi et al., Applicants respectfully assert that the driven plates 8 cannot contact the flywheel as recited in claim 20.

Further, Applicants respectfully assert that Kosumi et al. actually teach away from having a driven plate contact the flywheel. Specifically, it is an object of the Kosumi et al. invention to increase air flow through the clutch mechanism. (Please see column 2, lines 30-34 of Kosumi et al.) Applicants respectfully assert that if a driven plate were arranged to contact the flywheel of Kosumi et al., the cylindrical portion 13 would have to be extended axially, thus inhibiting air flow between the cylindrical portion 13 and the flywheel 2.

Thus, Applicants respectfully assert that the structure of claim 20 is not disclosed or suggested by Kosumi et al. or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicants respectfully submit that claim 20, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-36 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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